

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SOMPO JAPAN INSURANCE INC.,

Petitioner,

v.

CARLOS GHOSN BICHARA,

Respondent.

Case No. 23-1041-RGA  
**FILED UNDER SEAL**

~~[PROPOSED]~~ **ORDER GRANTING PETITIONER'S *EX PARTE*  
MOTION FOR THE ISSUANCE OF A WRIT OF FOREIGN OF ATTACHMENT**

WHEREAS, on September 25, 2023, Petitioner Sompo Japan Insurance Inc. ("Sompo") filed a petition to confirm a final foreign arbitration award against Respondent Carlos Ghosn Bichara ("Ghosn"), along with a motion to initiate the case under seal;

WHEREAS, on September 25, 2023, Sompo filed, *ex parte*, a Motion for the Issuance of a Writ of Foreign Attachment concerning certain assets of Ghosn located in this forum;

WHEREAS, Sompo has demonstrated that it has satisfied the grounds for a writ of foreign attachment pursuant to Federal Rule of Civil Procedure 64 and 10 Del. C. § 3506, in that: (1) Ghosn is not a resident of Delaware; (2) Ghosn cannot be found within the meaning of Section 3506; and (3) a good cause of action greater than \$50 exists, *see* 10 Del. C. § 3506;

WHEREAS, Sompo has identified assets owned by Ghosn in this District, namely, interests in Shogun Investments LLC ("Shogun Investments"), a Delaware limited liability company, and Shogun Enterprises Inc. ("Shogun Enterprises"), a Delaware corporation;

WHEREAS, Sompo has demonstrated that attachment of Ghosn's interests in Shogun Investments and Shogun Enterprises is permitted in an amount up to \$6,510,673.71, plus pre-arbitration award and post-arbitration award interest thereon;

**NOW THEREFORE**, upon Sompo's *ex parte* Motion for the Issuance of a Writ of Foreign Attachment,

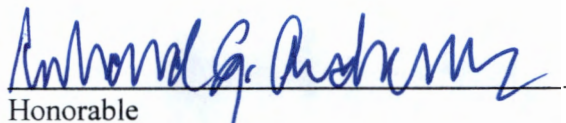
**IT IS HEREBY ORDERED** that Sompo's Motion is granted as to Ghosn's interests in Shogun Investments and Shogun Enterprises, and that this Order shall be effective immediately and shall remain so unless amended or vacated by this Court.

**IT IS FURTHER ORDERED** that the amount to be secured by this Order is \$6,510,673.71, plus pre-arbitration award and post-arbitration award interest thereon.

**IT IS FURTHER ORDERED** that, pursuant to Federal Rule of Civil Procedure 64 and Delaware Superior Court Rule 4, the U.S. Marshal for the District of Delaware shall levy, without taking possession, upon Ghosn's interest in Shogun Investments and Shogun Enterprises up to an amount of \$6,510,673.71, plus pre-arbitration award and post-arbitration award interest thereon.

**IT IS FURTHER ORDERED** that any levy perfected by service of this Order shall be extended and any levy by Sompo on Ghosn's interest in Shogun Investments and Shogun Enterprises shall remain valid until 30 days after the date of the resolution by the Court of any motion to confirm this Order.

**IT IS FURTHER ORDERED** that Sompo shall post a bond in an amount to be determined by the Court.

  
Honorable  
United States District Judge